

**PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 05-4430

---

MIGUEL MONTANEZ

v.

PAT THOMPSON, RECORD SPECIALIST I, STATE  
CORRECTIONAL INSTITUTION AT ALBION;  
JOHN DOE, I SUPERVISOR OF INMATE RECORDS,  
STATE CORRECTIONAL INSTITUTION AT ALBION;  
JOHN DOE, II, SUPERVISOR OF INMATE RECORDS,  
STATE CORRECTIONAL INSTITUTION AT  
GRATERFORD; SUPERINTENDENT, PHILADELPHIA  
PRISON SYSTEM; ROBERT DURISON, DIRECTOR,  
CLASSIFICATION, MOVEMENT & REGISTRATION,  
PHILADELPHIA PRISON SYSTEM

PAT THOMPSON,

Appellant.

---

On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. Civil No. 03-cv-6713)  
District Judge: Honorable Juan R. Sanchez

---

Argued January 26, 2010

Before: FUENTES, FISHER, *Circuit Judges*, and KANE,\*  
*Chief District Judge*.

(Opinion Filed: April 22, 2010)

---

Thomas W. Corbett, Jr., Esq.  
Claudia M. Tesoro, Esq. (Argued)  
John G. Knorr, III, Esq.  
Office of Attorney General  
21 South 12th Street  
Third Floor  
Philadelphia, PA 19107

*Counsel for Appellant*

---

\* Honorable Yvette Kane, Chief Judge of the United States District Court for the Middle District of Pennsylvania, sitting by designation.

Miguel Montanez  
4245 North Fairhill Street  
Philadelphia, PA 19140

*Pro Se Appellee*

Craig R. Gottlieb, Esq.  
City of Philadelphia  
Law Department  
1515 Arch Street  
One Parkway  
Philadelphia, PA 19102

*Counsel for Appellee Robert Durison* Marianne  
Consentino, Esq.  
M. Jared Littman, Esq. (Argued)  
Harkins Cunningham LLP  
2800 One Commerce Square  
2005 Market Street  
Philadelphia, PA 19103

*Counsel for Court Amicus on Behalf of Appellee*

---

ORDER AMENDING OPINION

---

FUENTES, Circuit Judge.

IT IS NOW ORDERED that on page 8, second paragraph, change date from October 6, 2005 to December 14, 2003.

/s/ Julio M. Fuentes

Circuit Judge

DATED: May 25, 2010